

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JDM IMPORT CO. INC., MG WORLDWIDE LLC, and
ASIA PACIFIC JEWELRY, L.L.C.,

Plaintiffs,

v.

Case No. 1:20-cv- 08759-VEC

SHREE RAMKRISHNA EXPORTS PVT., LTD,
AMIT SHAH, and THE JEWELRY CO.,

Defendants.

**DECLARATION OF AMIT SHAH IN SUPPORT
OF MOTION TO DISMISS THE AMENDED COMPLAINT**

Amit Shah, under penalty of perjury and pursuant to 28 U.S.C. § 1746, declares the following to be true and correct:

1. I am the Chief Executive Officer of The Jewelry Company. I submit this Declaration in support of defendants' motion to dismiss the Amended Complaint. Unless otherwise indicated, the following statements are based on my personal knowledge.

The Jewelry Company

2. The Jewelry Company is organized under the laws of India. Its principal place of business is at GJ-09, SDF-VII, SEEPZ-SEZ, Andheri (East), Mumbai – 400096. The Jewelry Company does not maintain, and has never maintained, an office in New York. The Jewelry Company does not have any employees in New York and is not registered to do business in New York. The Jewelry Company does not own any property in New York. While The Jewelry Company does, on occasion, sell jewelry merchandise to certain customers located

within New York, sales to New York customers comprise approximately 3% of The Jewelry Company's annual business.

The Alleged Email

3. I reside in India, although I travel internationally on business on a regular basis. The plaintiffs allege that I drafted an email to several employees of Signet Jewelers on October 27, 2017. Compl. ¶ 21 (Dkt. No. 1). On that day, I was in India. It is further my understanding that none of the individuals to whom the email was directed were based in New York.

No Agency Relationship With TJC Jewelry, Inc.

4. Neither TJC Jewelry, Inc. ("TJC") nor its President, Ashish Shah, are now, nor have they ever been an officer, shareholder, employee, sales consultant or agent of The Jewelry Company. TJC has not served as an agent of The Jewelry Company and had no authority to act generally on The Jewelry Company's behalf now or during the relevant time period. TJC is also not a subsidiary of The Jewelry Company and The Jewelry Company has never held an ownership interest in TJC, nor did it control TJC during the relevant time period. Further, no representative of The Jewelry Company has served as an officer, director or employee of TJC at any time.

Dated: March 30, 2021



Amit Shah